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UNCLAS SECTION 01 OF 02 CALCUTTA 000420

SIPDIS

SENSITIVE

DEPT FOR SA/INS

E.O. 12958: N/A

TAGS: [PGOV](#) [PHUM](#) [PINR](#) [ASEC](#) [IN](#)

SUBJECT: NDA DECISIVELY WINS IN BIHAR

REF: A) CALCUTTA 00373; B) CALCUTTA 00387; C) CALCUTTA 00404; D)
LCUTTA 00417

1. (SBU) Summary: In November 22 voting results, the National Democratic Alliance (NDA) of the Janata Dal (United) (JDU) and the Bharatiya Janata Party (BJP) registered a landslide victory in Bihar's State Assembly elections, winning more than the 122 seats needed for a governing majority. The defeat was a stunning blow to the long-ruling Union Railway Minister Lalu Prasad Yadav, his Rashtriya Janata Dal (RJD) and the Congress Party (Congress). The collapse of the RJD is attributed to a number of factors: Ram Vilas Paswan's defection from the SDF, splintering of the Muslim vote, disenchantment with Lalu's record of corruption, and strict monitoring of the polls by the Election Commission (EC). Success in Bihar could rejuvenate the beleaguered NDA, which faced a major setback in the 2004 general election. The NDA now rules in virtually the entire central India (except Uttar Pradesh) including Bihar, Jharkhand, Orissa, Chattisgarh, Madhya Pradesh, Rajasthan and Gujarat. The loss of Bihar will have no immediate impact at the national level for the United Progressive Alliance (UPA), but it is one of many cuts that may cumulatively weaken the coalition. End Summary.

2. (U) NDA has experienced a landslide victory in Bihar. By the afternoon of November 22, the NDA had already won 146 seats, more than the 122 required to form a State government in the 243-seat Legislative Assembly. For the first time in Bihar, the NDA has defeated the RJD and Congress Secular Democratic Front (SDF), which received only 66 seats. Chief Minister-Designate Nitish Kumar's JDU, the NDA's dominant party, received 84 seats to the BJP's 53 by late afternoon. In the SDF, the RJD, with 55 seats, far exceeded junior partner Congress with only 9. Kumar, a former Union Railway Minister, will now be sworn-in as the new Chief Minister for the second time. His earlier stint as Bihar Chief Minister in March 2000 lasted just a week. Kumar's victory brings to an end the 15-year rule of Lalu Yadav in the State.

3. (SBU) The NDA received far more seats than exit polls had predicted. Most polls anticipated only a slim lead of 115 to 119 seats for the NDA but with too few to form a government. The NDA's significant gains were attributed to a number of factors, but key was Union Steel, Chemical and Fertilizer Minister Ram Vilas Paswan's refusal to join the SDF with his Lok Janashakti Party (LJP). The LJP won had won only 11 seats by late afternoon. Paswan's split from the SDF drew away much needed votes and divided the critical Muslim vote - a key vote bank for Lalu and his RJD. In addition, the JDU, though aligned with the sectarian BJP, did pick up Muslim votes as well. President of the All India Pasmanda Muslim Mahaz Anwar Ali said he believed the Muslim vote had completely splintered. Director of Asian Development Research Dr. Shaibal Gupta noted that the Bihar electorate was also fed-up with the Lalu's poor record of governance. He believed dissatisfaction with the lack of law and order and public services cut across all castes and so Lalu was not able to capitalize on his lower caste constituent base. Finally, the EC was monitored polling very closely, which limited the opportunity for the RJD to tamper with ballots - a frequent accusation against the party in previous elections. For RJD the only silver lining in a disappointing day was the electoral victory of the RJD's lead candidate and Lalu's wife, Rabri Devi.

4. (SBU) Victory in Bihar could rejuvenate the beleaguered NDA, which faced a major setback in the 2004 general election. The NDA now rules in virtually all of central India (except Uttar Pradesh) including Bihar, Jharkhand, Orissa, Chattisgarh, Madhya Pradesh, Rajasthan and Gujarat. Bihar's State BJP President and Member of Parliament Sushil Kumar Modi told Post that Lalu's defeat in Bihar could "shake the Union government" since the UPA allies may start looking for new alliances. He added, "The people of Bihar are not fools. They have suffered misrule in both the RJD-Congress as well as Buta Singh's Governor rule. They have voted for us and have shown their resentment towards those who are responsible for lawlessness in the State." The UPA's imposition of Presidential rule after the indecisive February election was also unpopular in Bihar and on being ruled unconstitutional by the Supreme Court, has become a political liability for the UPA.

5. (SBU) Paswan who emerged as a kingmaker during February State elections, but lost ground this time, told media that "I

do accept that I lost, but my main aim of getting Lalu Yadav defeated in Bihar is fulfilled." Even with his recent antics, Paswan may remain in the UPA, because the Congress needs his and Lalu's support in the next general election. The UPA needs Paswan as an important Dalit leader; especially given the likely defection of Dalit Bahujan Samaj Party (BSP) Leader Mayawati in Uttar Pradesh (UP).

16. (SBU) The NDA also hopes that UPA's loss in Bihar could pave the way for a mid-term election in the country. Gyanendra optimistically claimed, "Instability in the UPA could very well go beyond control." He added that to weaken the UPA at the Center, the Kumar government in Bihar may expedite the pending corruption cases and charges against Lalu. However, political analysts from Bihar feel that with the UPA showing signs of weakness, the supporting Left parties, which had been playing the role of the Opposition, will now moderate their attacks on the UPA. The UPA may thus become a beneficiary of a unity in adversity, winning greater support from its normally fractious allies.

Role of Election Commission

17. (SBU) Holding free, fair and peaceful polls in Bihar was a challenge for the EC. Prior to the beginning of polling process in Bihar, the EC's Special Advisor K.J Rao mentioned that holding elections in Bihar was tougher than elections in Jammu and Kashmir, given the poor infrastructure, Maoist threat and corruption. For the first time, the EC used digital cameras at all the 41 counting centers to monitor the counting process. The EC also photo-documented every stage of the counting process from the unsealing of electronic voting machines (EVMs) to the announcement of the results. To disseminate the results of the counting instantly, the EC connected all the counting centers via the internet. Also, 100,000 security forces had been deployed for extra security at the counting centers.

18. (SBU) Chief Election Commissioner of India B.B. Tandon said that holding assembly elections in Bihar was "challenging," and he came out in strong defense of EC Advisor K.J. Rao, who has been under attack from Congress and RJD in the wake of his tough handling of poll irregularities. Bihar Chief Electoral Officer N.K. Sinha told Post that "to hold elections in a peaceful, free and fair manner in Bihar is a very difficult task. It was a big challenge. Deleting the names of criminals (against whom the non-bailable arrest warrants were pending for last six months) from the electoral roles has helped. The election boycott call given by Naxalites was also playing in our mind." The EC is now planning to implement the "Bihar model" for West Bengal State Assembly elections in May 2006.

Comment

19. (SBU) The NDA victory is a sign that voters, even in Bihar, expect more from their government. The backward castes and poor, who supported the RJD in the past, became frustrated with Lalu's 15 years of empty promises. The UPA made a mistake in assuming that political expediency in aligning with RJD would be sufficient to win, failing to realize the groundswell of dissatisfaction with the status quo in Bihar. The UPA's miscalculation in imposing an unconstitutional Presidential rule in the State only made matters worse by handing governance to a corrupt Governor Buta Singh and further antagonizing the Bihari voters and undermining the UPA's credibility. The Presidential Rule in Bihar will continue to linger as political liability for the UPA, with the Supreme Court's full decision coming out now elections are over. The UPA's poor performance in Bihar may become one of a thousand cuts that could eventually cripple the coalition.

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